

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

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|--------------------------------------|---|--------------------|
| AGROFRESH INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 16-662-MN |
| |) | |
| ESSENTIV LLC, DECCO U.S. POST- |) | |
| HARVEST, INC., CEREXAGRI, INC. d/b/a |) | |
| DECCO POST-HARVEST, and UPL, LTD., |) | |
| |) | |
| Defendants. |) | |
| |) | |

**DEFENDANTS' RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW
UNDER RULE 50(b)**

Defendants Essentiv LLC, Decco U.S. Post-Harvest, Inc., Cerexagri, Inc. and UPL, Ltd. (collectively, "Defendants") respectfully move pursuant to Federal Rule of Civil Procedure 50(b) for judgment as a matter of law that AgroFresh has failed to meet its burden to prove that Defendants have committed any of the following acts: (1) trade secret misappropriation; (2) unfair competition; (3) intentional interference with existing contracts or business relationships; (4) civil conspiracy; or (5) conversion. In addition, Defendants respectfully move for judgment as a matter of law that AgroFresh has failed to meet its burden to prove that Decco infringed claim 1 of the '849 patent under the doctrine of equivalents or that Decco willfully infringed that patent. Defendants further move for judgment as a matter of law that claim 1 of the '849 patent is invalid under 35 U.S.C. §§ 102 and 112. Finally, Defendants move for judgment as a matter of law that AgroFresh has failed to prove that it is entitled to compensatory damages for lost profits or conversion, and that the imposed punitive damages are grossly excessive and should be reduced. Support for this Motion may be found in Defendants' opening brief filed simultaneously herewith.

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